COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

PIEDMONT REGIONAL OFFICE

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STATEMENT OF LEGAL AND FACTUAL BASIS

Atlantic Waste Disposal, Incorporated
3474 Atlantic Lane,
Waverly, Virginia
Permit No. PRO - 51278

Title V of the 1990 Clean Air Act Amendments required each state to develop a permit program to ensure that certain facilities have federal Air Pollution Operating Permits, called Title V Operating Permits. As required by 40 CFR Part 70 and 9 VAC 5 Chapter 80, Atlantic Waste Disposal, Incorporated (AWDI) a subsidiary of Waste Management, Incorporated has applied for a renewal Title V Operating Permit for the Atlantic Waste Disposal Landfill facility located at 3474 Atlantic Lane, Waverly, Virginia. The Department has reviewed the application and has prepared a renewal draft Title V Operating Permit.

Engineer/Permit Contact: _____ Date: 9/29/2014
"Sparky" H. L. Lisle, Jr.
(804) 527-5148

Air Permit Manager: _____ Date: 9/29/2014
James E. Kyle, P.E.

Deputy Regional Director: _____ Date: 9/29/14
Kyle Ivar Winter, P. E.

FACILITY INFORMATION

Permittee/Facility Name:
Atlantic Waste Disposal, Inc.
Atlantic Waste Disposal Landfill
3474 Atlantic Lane,
Waverly, VA 23890

Responsible Official
Mr. Scott Thacker
Director of Disposal Operations
(804)727-9017

Contact Person
Mr. Jason Williams
Environmental Protection Manager
(804)814-5586

County Plant ID No.: 51-183-0036

Facility Description: NAICS 562212 – the municipal solid waste landfill is owned by Sussex County and operated by Atlantic Waste Disposal, Inc. (AWDI).

The landfill opened in July 1994 and can receive waste by rail or road. The waste deposited at the landfill is from municipalities within and outside the Commonwealth of Virginia. Only certain waste types are allowed under Solid Waste Permit #562 at the facility. Some of these waste types include the following: municipal solid waste, industrial waste, refuse, institutional waste (except anatomical, infectious, or pathological waste), commercial waste, garbage, compost, debris (wood, brush, leaves), sludges (including water treatment plant sludges with no free liquids and wastewater treatment plant sludges that have been stabilized, digested or heat treated), demolition waste, and scrap metal. The following wastes are prohibited according to Solid Waste Permit #562: regulated hazardous wastes, dioxin wastes, PCB wastes, asbestos waste, lead acid batteries, nuclear, nuclear by-product or waste material, flammable or explosive waste, non-hazardous, domestic irrigation return flows, and industrial point source discharges.

The facility is a Title V major source for NMOC. This source is located in an attainment area for all pollutants, and is a PSD major source for CO. The landfill became an active gas collection site on October 21, 2000. The landfill is subject to applicable requirements listed in 40 CFR 60, Subpart WWW of the New Source Performance Standards (NSPS) "Standards of Performance for Municipal Solid Waste Landfills" because it was constructed after the effective date of May 30, 1991, and its permitted design capacity exceeded 2.5 million meters cubed. The requirement to submit an initial Gas Collection and Control System (GCCS) design plan, as stated in 40 CFR 60.757(c), was completed on about April 1999 (Initial GCCS plan approval was on March 12, 2001 and last plan approval was November 20, 2008). The initial design capacity report was submitted on April 21, 1998 per March 2, 2001 GCCS Design Plan (exceeded 50 Mg per year CY 1997 prior to GCCS Design Plan submission). Landfills subject to NSPS Subpart WWW are also subject to the requirements of MACT Subpart AAAA of the "National Emissions Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills." The landfill is also subject to Title V permitting due to its applicability to NSPS Subpart WWW and MACT Subpart AAAA.

The initial Title V permit was issued on January 1, 2004, modified on September 9, 2005 and last renewal was on February 25, 2009. The source was issued a Prevention of Significant Deterioration (PSD) permit dated August 20, 2004 (Amended on August 5, 2014). The Solid Waste Permit #562 in amendment No. 16 dated February 26, 2014 increased landfill capacity. This expansion of the landfill, not already permitted by the PSD permit, was subject to a minor amendment to the PSD permit on August 5, 2014. Since conventional pollutants from the project did not increase above significance levels, neither new PSD permitting or PSD GHG BACT apply to the landfill. The number of flares and required throughput of LFG remained unchanged. Other uses of treated landfill gas for compression and transmission facility also remained unchanged.

For PSD purposes, the treated landfill gas compression and transmission facility, currently being operated by Eagle Hill Renewable Energy, LLC (was Waverly Gas Producers, LLC.), Registration Number 52013, is considered a support facility for the Atlantic Waste Disposal landfill. Since emissions from the flares are considered "worst case" emissions, the two landfill gas fired compressors at Eagle Hill Renewable Energy, LLC did not need to be included in the PSD permit. For the purpose of NSPS, Subpart WWW [40 CFR 60.752(b)(iii)(C)], Eagle Hill Renewable Energy, LLC provides for the routing of the collected landfill gas to a treatment system that processes the collected gas for subsequent sale or use to energy recovery device. The basis for this determination is that Eagle Hill Renewable Energy, LLC is the only means by which Atlantic Waste Disposal, Inc. can deliver the treated landfill gas to the end user. This dependent relationship meets the support facility criteria established by the EPA.

As a support facility, Eagle Hill Renewable Energy, LLC and the Atlantic Waste Disposal, Inc. landfill are to be treated as a single facility, consequently Eagle Hill Renewable Energy, LLC shall be evaluated as a major source with respect to Title V and PSD applicability.

The landfill also includes equipment that is deemed insignificant, such as the leachate storage tanks, fluid storage tanks, portable emergency generators, water heater, pumps and portable light plants. The facility has a separate minor permit to construct and operate a fly ash processing (May 13, 2010) and a container spray painting facility (September 8, 2011) on site as a support activity (both not constructed at this time). The renewal application received on July 15, 2013 was deemed timely and administratively complete. Therefore, the Title V permit application shield is in place.

COMPLIANCE STATUS

A Full Compliance Evaluation (FCE) of this facility, including site visit has been conducted. In addition, all reports and other data required by permit conditions or regulations, which are submitted to DEQ, are evaluated for compliance. Based on these compliance evaluations, the facility has not found to be in violation of any state or federal applicable requirements. The air inspection by the Virginia Department of Environmental Quality was conducted at this facility on August 19, 2013 and indicates compliance with the PSD permit issued August 20, 2004. In addition, the source is believed to be in compliance with 40 CFR 60, NSPS Subpart WWW and with 40 CFR 63, NESHAP Subpart AAAA for the operation of the MSW landfill gas collection and control system.

EMISSION UNIT AND CONTROL DEVICE IDENTIFICATION:

Emission Unit ID	Stack ID	Emission Unit Description (Start up date)	Size/Rated Capacity*	Pollution Control Device Description	PCD ID	Pollutant Controlled	Applicable Permit Date
Fuel Burning Equipment							
CF-2	CF-2	Open (candle) Flare (2000)	1' x 32'/2500 SCFM	None	N/A	N/A	August 5, 2014
CF-3	CF-3	Open (candle) Flare (2000)	1' x 32'/2500 SCFM	None	N/A	N/A	August 5, 2014
CF-4	CF-4	Open (candle) Flare (2006)	1'x 32'/3500 SCFM	None	N/A	N/A	August 5, 2014
CF-5	CF-5	Open (candle) Flare (TBD)	1'x 32'/3500 SCFM	None	N/A	N/A	August 5, 2014
CF-6	CF-6	Open (candle) Flare (TBD)	1'x 32'/3500 SCFM	None	N/A	N/A	August 5, 2014
Landfill Operations							
Cells 1, 2, 2A, 3, 3A, 4, 4A, 5A, 5B, 6A, 6B, 7A, 7B, 7C, 8A, 8B, 9A, 9B, 10A, 10B, 10C, 11A, 11B, 11C, 12A, 12B, and 12C.	LFO-1	Landfill Operations, incl. a Gas Collection and Control System	99,003,792 m^3 (129,484,426 cu yards)	GCCS	CF-2, CF-3, CF-4, CF-5, CF-6	NMOC's, VOC, HAPs	August 5, 2014
Permitted Landfill Support Activities							
Fly Ash Processing	P-1 P-2 S-1 S-2 S-3 S-4 C-1 C-2	Pug Mill Pug Mill Silo Silo Silo Silo Conveyor Conveyor	150 TPH 150 TPH 100 Tons 100 Tons 100 Tons 100 Tons 300 TPH 300 TPH (Total0	Wet Suppression Wet Suppression Fabric Filter Fabric Filter Fabric Filter Fabric Filter Wet Suppression Wet Suppression	P1-P2 S1-S4 C-1- C-2	PM, PM-10	Exempt Exempt May 13, 2010
Container Painting System	CP-1 CP-2	High Volume Low Pressure (HVLP) spray gun using non-HAP coatings	1 gallon/ hour	Low VOC paint	CP-1 CP-2	PM, PM-10, VOC	September 8, 2011
T-10	NA	Gasoline Storage Tank	500 gallons	None	N/A	VOC	Exempt when installed.
EGEN-2	EGEN-2	Kohler Emergency Generator – diesel (Built 1995)	226.0 Hp	None	N/A	PM, PM-10, CO, NOx, SO2, VOC	Exempt when Installed.

The Atlantic Waste Disposal Landfill facility's property is composed of approximately 1,315 acres. The landfill is segregated into the following cells: 1, 2, 2A, 3, 3A, 4, 4A, 5A, 5B, 6A, 6B, 7A, 7B, 7C, 8A, 8B, 9A, 9B, 10A, 10B, 10C, 11A, 11B, 11C, 12A, 12B, and 12C (collectively referred to as LFO-1). According to the amended August 20, 2004 PSD permit (August 5, 2014); the landfill projects a final volume of approximately 129.5 million cubic yards. The flares consist of two non-assisted, LFG&E Triton Utility Flares Model CF-2500 (both installed and tested) and three non-assisted, LFG&E Triton Utility Flares Model CF-3500 (one installed and tested) having dimensions of 1 foot (diameter) by 32 feet (high). Each TCF-2500 flare has a maximum flow of 2500 scfm, and is equipped with a blower that has a maximum flow rating of 2500 scfm and each TCF-3500 flare has a maximum flow of 3500 scfm, and is equipped with a blower that has a maximum flow rating of 3500 scfm.

The MACT ZZZZ engine (EGEN-2; a Kohler 226 Hp emergency generator; Built in 1995) and is an existing stationary emergency CI diesel engine (RICE).

The 500 gallon Gasoline Storage Tank (T-10) is an existing tank with a gasoline throughput of less than 10,000 gallons per month.

EMISSIONS INVENTORY

A summary of Atlantic Waste Disposal Landfill most recent annual emissions is shown below. Emission levels are expected to increase over time as the landfill builds out and more waste decomposes.

2013 Actual Emissions

	2013 Criteria Pollutant Emission in Tons/Year					
Emission Unit	**VOC**	**CO**	**SO_2**	**$PM/PM_{10}/PM_{2.5}$**	**NO_x**	**TNMOC**
LFO-1	33.60	0.60	-	19.39/19.39/13.20	-	86.10
CF-2	0.02	0.60	0.07	0.08/0.06/0.06	0.02	0.43
CF-3	0.14	4.77	0.43	0.66/0.66/0.52	1.22	0.35
CF-4	0.10	3.65	0.31	0.38/0.38/0.38	0.89	0.25
CF-5 (NA)*	0.0	0.0	0.0	0.0	0.0	0.0
CF-6 (NA)*	0.0	0.0	0.0	0.0	0.0	0.0
Total	**33.85**	**9.03**	**0.80**	**20.39/20.39/14.16**	**3.2**	**87.13**

*Flares CF-5 and CF-6 permitted, but not installed.

FUEL BURNING AND PROCESS EQUIPMENT REQUIREMENTS – [CF-2 THROUGH CF-6, LFO-1 and EGEN-2]

Limitations

The limitations are for the Gas Collection and Control System as they relate to 40 CFR 60, Subpart WWW for landfill size, expected active collection system performance (gas wellheads), installed open flares and operational requirements for LFO-1, CF-2, CF-3, CF-4, CF-5 and CF-6.

The following Virginia Administrative Code, New Source Performance Standards and three National Emission Standards for Hazardous Air Pollutants have specific emission and other requirements that have been determined to be applicable:

- 40 CFR 60 Subpart WWW – Standards of Performance for Municipal Solid Waste Landfills – Applicable to the entire landfill including the gas collection and control system (LFO-1) and the flares (CF-2 through CF-6).

- 40 CFR 63 Subpart AAAA – National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills – Applicable to the entire landfill including the gas collection and control system (LFO-1) and the flares (CF-2 through CF-6).

- 40 CFR 63 Subpart ZZZZ – "National Emission Standards for Hazardous Air Pollutants: Stationary Reciprocating Internal Combustion Engines (RICE) for Major and Area Sources" – Applicable to the RICE one emergency generator (EGEN-2 installed in 1995).

- 40 CFR 63 Subpart CCCCCC – "National Emission Standards for Hazardous Air Pollutants: Gasoline Dispensing Facilities (GDF) – Applicable to an existing GDF at the landfill facility (T-10). See conditions for the applicable requirements in the Facility-wide section.

MACT ZZZZ

The landfill facility has one existing emergency diesel fired 226 Hp (300 KW) generator that was built in 1995 and has applicable requirements that apply from 40 CFR 63, MACT Subpart ZZZZ for an existing generator less than or equal to 500 HP at an area source. All 40 CFR 63, MACT Subpart ZZZZ applicable requirements for the existing generator are contained in Condition III.A.27 and are placed in the permit for easy removal or replacement as this engine is very old. An existing stationary CI RICE located at an area source of HAP emissions, must comply with the applicable emission limitations, operating limitations, and other requirements (initial compliance date is May 3, 2013). The 40 CFR 63, MACT Subpart ZZZZ for area sources Federal standard is **not** delegated to the Commonwealth of Virginia at this time.

NOTE: Portable engines on the site are listed in the insignificant table and are nonroad engines because they do not qualify based on the definition in § 1068.30 (see next section for details). The engines have remained at the site for more than 12 months, but the engines are not applicable to 40 CFR 60 NSPS Subpart IIII/JJJJ. This is because they have not been modified or replaced with engines that are applicable based on engine size (HP or displacement), type and manufacture, or installation, or modification dates. All existing emergency compression ignition (CI) stationary RICE, shall be in compliance with 40 CFR 63, Subpart ZZZZ.

§ 1068.30 What definitions apply to this part?

The following definitions apply to this part. The definitions apply to all subparts unless we note otherwise. All undefined terms have the meaning the Clean Air Act gives to them.
The definitions follow:
[...]
Nonroad engine means:
(1) Except as discussed in paragraph (2) of this definition, a nonroad engine is an internal combustion engine that meets any of the following criteria:
(i) It is (or will be) used in or on a piece of equipment that is self-propelled or serves a dual purpose by both propelling itself and performing another function (such as garden tractors, off-highway mobile cranes and bulldozers).
(ii) It is (or will be) used in or on a piece of equipment that is intended to be propelled while performing its function (such as lawnmowers and string trimmers).
(iii) By itself or in or on a piece of equipment, it is portable or transportable, meaning designed to be and capable of being carried or moved from one location to another. Indicia of transportability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform.
(2) An internal combustion engine is not a nonroad engine if it meets **any** of the following criteria:
(i) The engine is used to propel a motor vehicle, an aircraft, or equipment used solely for competition.
(ii) The engine is regulated under 40 CFR part 60, (or otherwise regulated by a federal New Source Performance Standard promulgated under section 111 of the Clean Air Act (42 U.S.C. 7411)).
(iii) The engine otherwise included in paragraph (1)(iii) of this definition remains or will remain at a location for more than 12 consecutive months or a shorter period of time for an engine located at a seasonal source. A location is any single site at a building, structure, facility, or installation. Any engine (or engines) that replaces an engine at a location and that is intended to perform the same or similar function as the engine replaced will be included in calculating the consecutive
time period. An engine located at a seasonal source is an engine that remains at a seasonal source during the full annual operating period of the seasonal source. A seasonal source is a stationary source that remains in a single location on a permanent basis (i.e. at least two years) and that operates at that single location approximately three months (or more) each year. See § 1068.30 for provisions that apply if the engine is removed from the location.

Fuel Burning and Process Equipment - Monitoring

The monitoring requirements listed in the Title V permit have been drafted to meet Part 70 requirements and those contained in 40 CFR 60.756. If monitoring demonstrates that the requirements pertaining to the landfill operational standards are not being met, corrective action shall be taken as specified in 40 CFR 60.755.

Fuel Burning and Process Equipment - Periodic Monitoring

Generally, the requirements of Compliance Assurance Monitoring (CAM) for landfills do not apply because 40 CFR 64.2(b) "Exemptions—(1) Exempt emission limitations or standards. The requirements of this part shall not apply to any of the following emission limitations or standards: (i) Emission limitations or standards proposed by the Administrator after November 15, 1990 pursuant to section 111 or 112 of the Act." Therefore, this regulation does not apply for this permitted facility.

The landfill periodic monitoring is a combination of 40 CFR 60, Subpart WWW and 40 CFR 63, Subpart AAAA requirements to monitor and control well pressure and parameters monthly (and as prescribed), surface monitoring design, quarterly surface monitoring, surface monitoring corrective actions, monthly cover integrity and monthly landfill gas temperature. The NSPS Subpart WWW requires the Facility to maintain records including design capacity of the landfill, the current amount of solid waste in place, and the year-by-year waste acceptance rate. Also, the permit requires calculation of NMOC emission rate using the procedures described in NSPS Subpart WWW.

Fuel Burning and Process Equipment - Flares Periodic Monitoring

Therefore, at least once per week an observation of the presence of visible emissions from the operating flares (CF-2, CF-3, CF-4, CF-5 and CF-6) shall be made. If visible emissions are observed, the Facility shall either take timely corrective action such that the flare(s) resumes operation with no visible emissions, or perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 22. The VEE shall be conducted and details recorded in the logbook. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the flare(s) resumes operation with no visible emissions. The weekly observations can be reduced to monthly/revert back to weekly observations based on individual flare performance.

Fuel Burning and Process Equipment - Recordkeeping

The permit includes requirements for maintaining records of all monitoring and testing required by the regulations. These records include the annual throughput of landfill gas, control efficiency tests of the control equipment, the annual placement of municipal solid waste in the landfill and all monitoring information for the GCCS and flares. The specific requirements are listed in 40 CFR 60.758.

Fuel Burning and Process Equipment - Testing

A performance test to determine the net heating value of the gas being combusted and the actual exit velocity for each flare shall be performed, and demonstrate compliance, within 60 days after achieving maximum production rate at which each flare will be operated, but no later than 180 days after initial startup of each flare. Test methods for required monitoring of oxygen or nitrogen content at each well head, as specified in NSPS Subpart WWW and the August 20, 2004 (Amended on August 5, 2014) PSD permit conditions, which are included in the Title V permit.

Initial performance testing for flare units (CF-2, CF-3 and CF-4) has been completed and reports have been submitted. The currently installed flares, CF-2, CF-3 and CF-4 initial performance testing consistent with the provisions of 40 CFR 60.8 and 60.18 was conducted and approved as follows:

	Testing Date	Test Report Received	Approved
CF-1	December 19, 2001	(Flare Removed)	NA
CF-2	March 13, 2002	April 23, 2002	August 16, 2002*
CF-3	March 13, 2002	April 23, 2002	August 16, 2002*
CF-4	May 10, 2007	July 25, 2007	October 17, 2007*
CF-5	Not Installed.	NA	NA
CF-6	Not Installed.	NA	NA

* Installed flares met the operating and emission limitations of 40 CFR 60.18 during the initial performance Tests.

Fuel Burning and Process Equipment - Reporting

All reports required by NSPS Subpart WWW (Section 60.755) shall be prepared and submitted to US EPA and the Piedmont Regional Office in accordance with procedures outlined in NSPS Subpart WWW (Section 60.757). All reports required by MACT Subpart AAAA, including deviations for out of range monitoring parameters shall be prepared and submitted to US EPA and the Piedmont Regional Office in accordance with procedures outlined in MACT Subpart AAAA (Section 63.1980). All reports addressed to the US EPA Region III have had the email address added after the mailing address (R3_APD_Permits@epa.gov).

Facility-wide Fuel Burning and Process Equipment - Limitations

The facility has a separate minor permit to construct and operate a fly ash processing (May 13, 2010) and a container spray painting facility (September 8, 2011) on site as a support activity (both not constructed at this time).

The 40 CFR 63 Subpart CCCCCC—National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities must comply with the applicable emission limitations, operating limitations, and other requirements (initial compliance date is January 24, 2014). The existing Gasoline Dispensing Facility applicable requirements are contained in Condition IV.A.15 and are placed in the permit for easy removal or replacement. This subpart establishes national emission limitations and management practices for hazardous air pollutants (HAP) emitted from the loading of gasoline storage tank (T-10) at an existing gasoline dispensing facilities (< 10,000 gallons per month). This subpart also establishes requirements to demonstrate compliance with the emission limitations and management practices.

§63.11111 Am I subject to the requirements in this subpart?

(a) The affected source to which this subpart applies is each GDF that is located at an area source. The affected source includes each gasoline cargo tank during the delivery of product to a GDF and also includes each storage tank.

(b) If your GDF has a monthly throughput of less than 10,000 gallons of gasoline, you must comply with the requirements in §63.11116.

§63.11113 When do I have to comply with this subpart?
(1) If your GDF is an existing facility, you must comply by **January 24, 2014**

§63.11115 What are my general duties to minimize emissions?
Each owner or operator of an affected source under this subpart must comply with the requirements of paragraphs (a) and (b) of this section.

(a) You must, at all times, operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

(b) You must keep applicable records and submit reports as specified in §63.11125(d) and §63.11126(b).

"§63.11116 Requirements for facilities with monthly throughput of less than 10,000 gallons of gasoline

(a) You must not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following:
   (1) Minimize gasoline spills;
   (2) Clean up spills as expeditiously as practicable;
   (3) Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use;
   (4) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.

(b) You are not required to submit notifications or reports as specified in §63.11125, §63.11126, or subpart A of this part, but you must have records available within 24 hours of a request by the Administrator todocument your gasoline throughput.
(c) You must comply with the requirements of this subpart by the applicable dates specified in §63.11113.
(d) Portable gasoline containers that meet the requirements of 40 CFR part 59, subpart F, are considered acceptable for compliance with paragraph (a)(3) of this section.

§63.11125 What are my recordkeeping requirements?

(d) Each owner or operator of an affected source under this subpart shall keep records as specified in paragraphs (d)(1) and (2) of this section.

(1) Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment.

(2) Records of actions taken during periods of malfunction to minimize emissions in accordance with §63.11115(a), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal orusual manner of operation.

§63.11126 What are my reporting requirements?

(a) Each owner or operatorsubject to the management practices in §63.11118 shall report to the Administrator the results of all volumetric efficiency tests required under §63.11120(b). Reports submitted under this paragraph must be submitted within 180 days of the completion of the performance testing.

(b) Each owner or operator of an affected source under this subpart shall report, by March 15 of each year, the numberduration, and a brief description of each type of malfunction which occurred during the previous calendar yearand which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with §63.11115(a), including actions taken to correct a malfunction. No report is necessary for a calendar year in which no malfunctions occurred.

The 40 CFR 63, Subpart CCCCCC for Source Category: Gasoline Dispensing Facilities Federal standard is **not** delegated to the Commonwealth of Virginia at this time.

Subpart	EPA promulgation	VA adoption	VA effective	Revision/ Basic Book# (ORA use)
CCCCCC*	72 FR 1945, 1/10/08	11/15/08	3/18/09	I08, BB96, R52

*Authority to enforce these standards is retained by EPA and they are not incorporated by reference into the Virginia regulations for any source that is not a major source (i) as defined in 9VAC 5-80-60 and subject to Article 1, Federal Operating Permits for Stationary Sources, or (ii) as definedin 9 VAC 5-80-370 and subject to Article 3, Federal Operating Permits for Acid Rain Sources, of Part II of 9VAC 5-80 (Permits for Stationary Sources).

Streamlined Requirements

None.

GENERAL CONDITIONS

The permit contains general conditions required by 40 CFR Part 70 and 9 VAC 5-80-110 that apply to all Federal-operating permitted sources. These include requirements for submitting semi-annual monitoring reports and an annual compliance certification report. The permit also requires notification of deviations from permit requirements or any excess emissions.

Comments on General Conditions

B. Permit Expiration

This condition refers to the Board taking action on a permit application. The Board is the State Air Pollution Control Board. The authority to take action on permit application(s) has been delegated to the Regions as allowed by §2.1-20.01:2 and §10.1-1185 of the *Code of Virginia,* and the "Department of Environmental Quality Agency Policy Statement No. 3-2006".

F. Failure/Malfunction Reporting

Section 9 VAC 5-20-180 requires malfunction and excess emission reporting within four hours of discovery. Section 9 VAC 5-80-250 of the Title V regulations also requires malfunction reporting; [that are not consistent with the SSMP plan are to be reported] within two days. Section 9 VAC 5-20-180 is from the general regulations. All affected facilities are subject to section 9 VAC 5-20-180 including Title V facilities. Section 9 VAC 5-80-250 is from the Title V regulations. Title V facilities are subject to both sections. A facility may make a single report that meets the requirements of 9 VAC 5-20-180 and 9 VAC 5-80-250. The report must be made within four daytime business hours of discovery of the malfunction. In order for emission units to be relieved from the requirement to make a written report in 14 days the emission units must have continuous monitors meeting the requirements of 9 VAC 5-50-410 or 9 VAC 5-40-41.

U. Malfunction as an Affirmative Defense

The regulations contain two reporting requirements for malfunctions that coincide. The reporting requirements are listed in sections 9 VAC 5-80-250 and 9 VAC 5-20-180. The malfunction requirements are listed in General Condition U and General Condition F. For further explanation see the comments on general condition F. This general condition cites the sections that follow:

9 VAC 5-20-180. Facility and Control Equipment Maintenance or Malfunction
9 VAC 5-80-110. Permit Content

Note: The requirements of 40 CFR 63.6(e)(3) and 40 CFR 63.1960 spersedes all other requirements.

STATE ONLY APPLICABLE REQUIREMENTS

The following Virginia Administrative Codes have specific requirements only enforceable by the State and have been identified as applicable by the applicant:

9 VAC 5 Chapter 50, Part 2: Standard of Performance for Odorous Emissions
9 VAC 5 Chapter 50, Part 3: Standard of Performance for Toxic Pollutants

The Title V permit contains the PSD permit dated August 20, 2004, revised August 5, 2014, condition number 43, requiring an odor management plan as a State Only Requirement. The odor management plan has already been submitted and is in use. The plan process is reviewed and any changes submitted by November 1st each year.

FUTURE APPLICABLE REQUIREMENTS

Several Compression Ignition (CI) Internal Combustion Engines (ICE) may become applicable to 40 CFR 60 NSPS Subpart IIII, if modified or replaced (copy of NSPS Subpart IIII attached to the Title V permit). These diesel engines are found in the Insignificant Emissions Unit Table.

INAPPLICABLE REQUIREMENTS

Section 9 VAC 5-40-5800 and 40 CFR 60, NSPS Subpart Cc – "Emission Standards for Sanitary Landfills": These regulations only apply to municipal solid waste landfills which commenced construction, reconstruction or modification before May 30, 1991.

Currently inapplicable requirements identified by the applicant:

Citation	Title of Citation	Description of Applicability
9 VAC 5-40-5800 and 40 CFR 60 subpart Cc	Emission Standards and Emission Guidelines for Sanitary Landfills	These regulations only apply to municipal solid waste landfills which commenced construction, reconstruction or modification before May 30 1991.
40 CFR 64	Compliance Assurance Monitoring	Generally, the requirements of Compliance Assurance Monitoring (CAM) for landfills do not apply because 40 CFR 64.2(b) "Exemptions—(1) Exempt emission limitations or standards. The requirements of this part shall not apply to any of the following emission limitations or standards: (i) Emission limitations or standards proposed by the Administrator after November 15, 1990 pursuant to section 111 or 112 of the Act." Since the landfill facility is subject to the requirements of NSPS Subpart WWW and MACT AAAA, CAM does not apply.
40 CFR 75	Acid Rain Regulations	This landfill does not have a "Qualifying Facility."
40 CFR Parts 51,52,70 and 71	Title V Greenhouse Gas Tailoring Rule,	Title V Greenhouse Gas Tailoring Rule, 40 CFR Parts 51, 52, 70 and 71, does not apply to the facility as it is an existing PSD source not currently subject to PSD modification for any pollutant.

9 VAC 5-40-20 A.4	Startup, shut down, and malfunction opacity exclusion	The startup, shut down, and malfunction opacity exclusion listed in 9 VAC 5-40-20 A.4 cannot be included in any Title V permit. This portion of the regulation is not part of the federally approved state implementation plan. The opacity standard applies to existing sources at all times including startup, shutdown, and malfunction. Opacity exceedances during malfunction can be affirmatively defended provided all requirements of the affirmative defense section of this permit are met. Opacity exceedances during startup and shut down will be reviewed with enforcement discretion using the requirements of 9 VAC 5-40-20 E, which state that "At all times, including periods of startup, shutdown, soot blowing and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions."

COMPLIANCE PLAN

The source does not have the requirement of a compliance plan.

INSIGNIFICANT EMISSION UNITS

The insignificant emission units are presumed to be in compliance with all requirements of the Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

Emission Unit No.	Emission Unit Description	Citation (9 VAC_)	Pollutant(s) Emitted (5-80-720 B)	Rated Capacity (5-80-720 C)
T1	Leachate Storage Tank	5-80-720B	VOC	110,000 gallons
T2	Leachate Storage Tank	5-80-720B	VOC	500,000 gallons
T3	Leachate Storage Tank	5-80-720B	VOC	500,000 gallons
T4	Leachate Storage Tank	5-80-720B	VOC	500,000 gallons
T-5	Diesel Tank (Off-road diesel fuel)	5-80-720A	VOC	10,000 gallons
T-6	Used Oil Tank	5-80-720C	VOC	300 gallons
T-7	Used Oil Tank	5-80-720C	VOC	300 gallons
T-8	Removed			
T-9	Diesel Fuel Tank	5-80-720A	VOC	12,000 gallons
T-11	Diesel Storage Tank (On-road diesel fuel)	5-80-720A	VOC	2,000 gallons
T-12 to T17	Lube Oil Truck (Off-road diesel fuel) (Lube Oil) (Hydraulic Oil) (Used Oil) (Transmission Oil) (Lube Oil)	5-80-720A	VOC	 2,000 gallons 200 gallons 200 gallons 150 gallons 100 gallons 100 gallons
T-18	Hydraulic Oil Tank	5-80-720C	VOC	300 gallons

Emission Unit No.	Emission Unit Description	Citation (9 VAC_)	Pollutant(s) Emitted (5-80-720 B)	Rated Capacity (5-80-720 C)
T-19	Lube Oil Tank	5-80-720C	VOC	300 gallons
T-20	Lube Oil Tank	5-80-720C	VOC	500 gallons
T-21	Hydraulic Oil Tank	5-80-720C	VOC	500 gallons
T-22	Transmission Oil Tank	5-80-720C	VOC	500 gallons
T-23	Transmission Oil Tank	5-80-720C	VOC	280 gallons
T-24	Transmission Oil Tank	5-80-720C	VOC	280 gallons
T-25	Transmission Oil Tank	5-80-720C	VOC	280 gallons
T-26	Transmission Oil Tank	5-80-720C	VOC	280 gallons
T-27	Leachate Storage Tank	5-80-720B	VOC	16,800 gallons
T-28	Leachate Storage Tank	5-80-720B	VOC	16,800 gallons
T-29	Leachate Storage Tank	5-80-720B	VOC	16,800 gallons
T-30	Leachate Storage Tank	5-80-720B	VOC	16,800 gallons
T-31	Leachate Storage Tank	5-80-720B	VOC	16,800 gallons
T-32	Leachate Storage Tank	5-80-720B	VOC	16,800 gallons
T-33	Leachate Storage Tank	5-80-720B	VOC	16,800 gallons
T-34	Leachate Storage Tank	5-80-720B	VOC	16,800 gallons
W-1	Welder – Trailer Mounted	5-80-720A	PM	NA
W-2	Welder - Gas (on service truck)	5-80-720A	PM	NA
SILO-1	Silo for Posi-Shell alternative cover (Portland Cement)	5-80-720B	PM	NA
PROP-1	Propane Tank	5-80-720B	VOC	1,000 gallons
PROP-2	Propane Tank	5-80-720B	VOC	500 gallons
EME	Miscellaneous earth-moving equipment	5-80-720A	CO, PM10, NOx, SO2, VOC	Varies
LP1-LP6	Magnum (6 total) Diesel Engines	5-80-720C*	CO, PM10, NOx, SO2, VOC	6 kW each, 12.2 HP each
HEAT-1	Water heater for Truck Wash (Propane)	5-80-720C	CO, PM10, NOx, SO2, VOC	320,000 Btu/hr
HEAT-3	Modine Old Shop Heater (Propane)	5-80-720C	CO, PM10, NOx, SO2, VOC	200,000 Btu/hr
HEAT-4	Modine Old Shop Heater (Propane)	5-80-720C	CO, PM10, NOx, SO2, VOC	200,000 Btu/hr
HEAT-5	Robert Gordon, Shop Heater (Propane)	5-80-720C	CO, PM10, NOx, SO2, VOC	125,000 Btu/hr
EGEN-2	Kohler Emergency Generator - diesel	5-80-720C*	CO, PM10, NOx, SO2, VOC	226.0 Hp
PGEN-2	Sycamore Generator on Service Truck (Gasoline)	5-80-720C*	CO, PM10, NOx, SO2, VOC	7 kW, 10.0 Hp
PGEN-3	Cummings Engine Portable Emergency Diesel Generator	5-80-720C*	CO, PM10, NOx, SO2, VOC	170.0 Hp
PGEN-4	Generac Generator Portable Emergency Gasoline Generator	5-80-720C*	CO, PM10, NOx, SO2, VOC	5.5 Hp
PUMP-1	One 6 inch water pump at Truck Wash - diesel	5-80-720C*	CO, PM10, NOx, SO2, VOC	65.0 Hp

Emission Unit No.	Emission Unit Description	Citation (9 VAC_)	Pollutant(s) Emitted (5-80-720 B)	Rated Capacity (5-80-720 C)
PUMP-6	One 4 inch water pump Godwin Trash Pump (Honda Gas Engine)	5-80-720C*	CO, PM10, NOx, SO2, VOC	8.0 Hp
ATV-1	ATV	5-80-720C*	CO, PM10, NOx, SO2, VOC	20.0 Hp
AIR-1	Portable Air Compressor Ingersoll Rand	5-80-720C*	CO, PM10, NOx, SO2, VOC	12.5 Hp
AIR-2	Portable Air Compressor Kohler Command	5-80-720C*	CO, PM10, NOx, SO2, VOC	5.5 Hp
AIR-3	Trailer Mounted Sullair Air Compressor Diesel Engine	5-80-720C*	CO, PM10, NOx, SO2, VOC	49.0 Hp
PW-1	Portable Pressure Washer – Gas Engine/Diesel Heater	5-80-720C*	CO, PM10, NOx, SO2, VOC	18.0 Hp
SK-1	Safety-Kleen Aqueous Parts Washer (Model 91)	5-80-720B	VOC	40 gallons

*See Future Applicable Requirementsabove.

CONFIDENTIAL INFORMATION

The permittee did not submit a request for confidentiality. All portions of the Title V application are suitable for public review.

PUBLIC PARTICIPATION

The proposed permit will be placed on public notice in the *Sussex Surry Dispatch* on **August 13, 2014**. No comments were received during the thirty-day public comment period.

In evaluating the application and arriving at a final decision to issue this permit, the Department deemed the application complete on July 31, 2014 and solicited written comments from US EPA on August 13, 2014, a concurrent public comment review. The forty-five day comment period (provided for in 9 VAC 5-80-210.E.1) expired on **September 28, 2014** with no comments received in this office from US EPA, Region III.